

1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

Josh Cohen (Bar No. 217853)

2 joshcohen@quinnemanuel.com

3 50 California Street, 22nd Floor

San Francisco, California 94111

4 Telephone: (415) 875-6600

Facsimile: (415) 875-6700

5 Attorneys for THOMAS McKINLEY

6  
7 UNITED STATES DISTRICT COURT  
8  
9 NORTHERN DISTRICT OF CALIFORNIA  
10  
11 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 THOMAS McKINLEY,

15 Defendant.

CASE NO. C-08-0148 JL

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING CHANGE-OF-  
PLEA HEARING**

16  
17  
18 WHEREAS defendant Thomas McKinley made his initial appearance before this Court on  
19 April 28, 2008 and was arraigned on a misdemeanor information charging him with driving under  
20 the influence of alcohol and with a blood alcohol content above the legal limit;

21 WHEREAS the matter is presently set for change of plea on July 10, 2008;

22 WHEREAS defense counsel is unavailable on July 10, 2008;

23 WHEREAS the charges in the information are Class B misdemeanors, such that the  
24 Speedy Trial Act does not apply;

25 WHEREAS the defendant is presently enrolled in a DMV-approved DUI program;

26 WHEREAS government counsel does not oppose a short continuance;

27 ///

28 ///

1 The undersigned counsel hereby CONSENT, STIPULATE and AGREE that the change-  
2 of-plea hearing presently scheduled for July 10, 2008 shall be continued to July 24, 2008 at 11:00  
3 a.m.

4 IT IS SO STIPULATED.

5  
6 Dated: July 7, 2008

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

8  
9 By /S/

Josh A. Cohen  
Attorneys for Thomas McKinley

10  
11  
12 DATED: July 7, 2008

JOSEPH RUSSIONELLO  
UNITED STATES ATTORNEY

13  
14 By /S/

Wendy Thomas  
Assistant United States Attorney

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16  
17 Pursuant to stipulation, it is so ORDERED.

18  
19  
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21  
22  
23 JAMES LARSON  
UNITED STATES MAGISTRATE JUDGE